



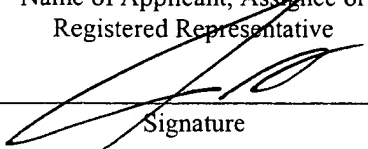
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Date of Deposit

Joseph F. Hetz - Reg. No. 41,070

Name of Applicant, Assignee or
Registered Representative


Signature

Our Case No. 10519-30

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Subramanian et al.

Serial No.: 09/939,498

Filed: August 24, 2001

For: Vertically Stacked Field
Programmable Nonvolatile
Memory and Method of
Fabrication

Examiner: D. Vu

Group Art Unit: 2818

COMMUNICATION CONCERNING PATENT TERM ADJUSTMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

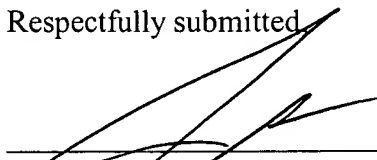
Dear Sir:

The Patent and Trademark Office ("PTO") awarded 0 days of patent term adjustment ("PTA") in the Notice of Allowance. Applicants wish to note what they believe to be an error in the PTA calculation, although it does not affect the PTA awarded in the Notice of Allowance. The PTO attributed a 219-day delay for the October 22, 2004 "Mail Notice of Informal or Non-Responsive RCE Amendment" to the PTO. Applicants believe that this delay should have been

attributed to them. While this error does not affect the PTA awarded in the Notice of Allowance, it may affect the ultimate PTA should any PTA be gained at the issuance stage.

Dated: February 14, 2006

Respectfully submitted



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